

## REMARKS

### I. PRELIMINARY REMARKS

No claims have been added or amended. Claims 115-147 have been canceled.<sup>1</sup> Claims 44-114 remain in the application. Reexamination and reconsideration of the application, as amended, are respectfully requested.

### II. RESTRICTION REQUIREMENT

In response to the Restriction Requirement, in which the examiner has required restriction to one of the following inventions:

- I. Claims 44-114, drawn to a tissue ablation device, and
- II. Claims 115-147, drawn to a method for treating atrial arrhythmia;

applicant provisionally elects Invention I (claims 44-114) without traverse for prosecution on the merits. Applicant reserves the right to file a divisional application directed to the non-elected invention(s).

### III. ELECTION OF SPECIES REQUIREMENT

In response to the Election of Species Requirement, applicant provisionally elects the species illustrated in Figure 13 without traverse. Applicant respectfully submits that, at a minimum, claims 44-114 are directed to the elected species. Applicant reserves the right to file a divisional application directed to the non-elected species.

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<sup>1</sup> Claims 115-147 will be transferred to U.S. application Serial No. 09/505,354.

**IV. NOTICE CONCERNING COPYING OF CLAIMS**

As outlined in the tables below, present claims 44-114 have been copied (either exactly or substantially) from three (3) issued patents. A more formal request to provoke interference with these patents will follow in due course.

<b>Present Claim</b>	<b>U.S. Pat. No. 6,117,101 Claim</b>	<b>Present Claim</b>	<b>U.S. Pat. No. 6,245,064 Claim</b>	<b>Present Claim</b>	<b>U.S. Pat. No. 6,254,599 Claim</b>
51, 52	1	53, 62	1	71, 93	1
		54, 63	2	72, 94	2
		55, 64	3	73, 95	3
		56, 65	5	74, 96	4
		57, 66	6	75, 97	5
		58, 67	7	76, 98	6
		59, 68	8	77, 99	7
		60, 69	10	78, 100	8
		61, 70	11	79, 101	11
				80, 102	12
				81, 103	13
				82, 104	15
				83, 105	16
				84, 106	17
				85, 107	18
				86, 108	47
				87, 109	49
				88, 110	50
				89, 111	52
				90, 112	53
				91, 113	54
				92, 114	55

**V. CLOSING REMARKS**

Early and favorable consideration of the elected claims are respectfully requested. Allowance of the claims at an early date is courteously solicited. If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is

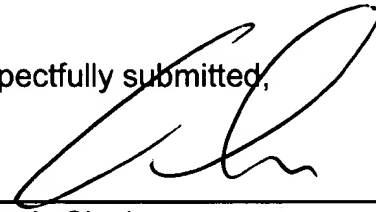
respectfully requested to call Applicants' undersigned representative at (310) 563-1458 to discuss the steps necessary for placing the application in condition for allowance.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-0638. Should such fees be associated with an extension of time, applicant respectfully requests that this paper be considered a petition therefor.

12/21/05  
Date

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Respectfully submitted,

  
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